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K.H.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/313,131 05/17/99 STEINBERG

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EXAMINER

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ART UNIT

PAPER NUMBER

2612

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

KA

Office Action Summary

Application No.

09/313,131

Applicant(s)

Steinberg

Examiner

Andy Christensen

Art Unit

2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Apr 17, 2001

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1 and 3-52 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1 and 3-52 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other: _____

1. The Applicant's amendment filed April 17, 2001 has overcome the 35 USC 12 rejection of Claim 4 and the 35 USC 103(a) rejection of Claim 1 in view of King.

2. The Applicant's arguments filed April 17, 2001 have been fully considered by the Examiner but they are not deemed to be persuasive.

The Applicant argues that the amended claims distinguish over Yuyama and Ilcisin in that the recited camera itself is not for use in communication and the recited transceiver does not send images of pictures taken by the camera and does not include a camera for that purpose.

In response, the claim language is broader than the Applicant's arguments. For instance the claims do not recite that the transceiver does not send images of pictures. In addition the recited features such as "functioning independent of said camera" (Claim 1), "said transceiver apparatus not including said camera" (Claim 17), "transceiver included in a housing containing an independently functional camera" (Claim 33), and "an integrated assembly containing a transceiver and an independently functional digital camera" (Claim 46) are too broadly written to distinguish over the features disclosed in the Yuyama and Ilcisin inventions, as will be set forth in this Office action using a combination of these references.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 1, 3-6, 8, 11, 15, 17-26, 28, 30, 33-40, 43 and 46-50 are rejected under 35 USC 102(e) as being anticipated by Ilcisin et al. (U.S. Patent No. 5,880,770).

Regarding Claim 1, Ilcisin et al. disclose an integrated digital camera apparatus comprising a housing (12); a camera (22) built into the housing, the camera for picture taking as with a separate camera (22), the camera including image capture apparatus for converting a light image to digital image data, the camera a also being hand-held (Column 4, Lines 29-31; the AT&T model 2500 may be considered to be hand held as seen in Figure 1 of AT&T Technical Journal); message apparatus built into the housing with message functioning independent of the camera, the message apparatus including a transceiver apparatus for sending and receiving digital data through a communications network (Column 4, Lines 47-50); an automatic signal transmission apparatus for automatically causing the transceiver to transmit a message request signal to the message center conveying an identification of the camera when the camera is turned on (See Column 2, Lines 49-56 and note that a camera's identification is inherently conveyed in the initiation of a call from the particular apparatus with which the camera is associated); and a code apparatus for selectively receiving messages sent to the transceiver by a message center (See Column 8, Lines 3-7 and note that a code is present in the form of a phone number or TCP/IP address to which messages and images are sent).

Regarding Claim 3, Ilcisin et al. disclose a user activated apparatus for causing the transceiver to transmit a message request signal to the message center conveying an identification of the camera (See Column 2, Lines 49-56 and Examiner's comments regarding Claim 1 and note that the call is user initiated).

Regarding Claim 4, Ilcisin et al. disclose apparatus for disabling an automatic signal transmission apparatus when a user does not want to receive messages (See Column 3, Lines 65-67 and note that longer-time-period messages may not be acceptable).

Regarding Claim 5, the code apparatus in Ilcisin et al. includes identification of a model number of the camera since in order for there to be proper reception and display of pictures in a specific videophone system such as the AT&T 2500 mentioned in Column 4, Lines 30-31 the model number assigned to the camera by its manufacturer (for the AT&T 2500, the manufacturer is Sony; see page 25 of AT&T Technical Journal) is the same for the sending integrated digital camera apparatus as that of the receiving integrated digital camera apparatus. The ability to receive, process and display meaningful pictures from a sending camera identifies it having the same model as that of the integrated digital camera apparatus for such a specific videophone network.

Regarding Claim 6, Ilcisin et al. disclose a display apparatus (20) for displaying the

messages and the image (Column 2, Lines 50-53).

Regarding Claim 8, Ilcisin et al. disclose that the display apparatus includes a dedicated banner region for display of the messages (Column 2, Lines 50-53).

Regarding Claim 11, Ilcisin et al. disclose an interactive message response apparatus for responding to a question received in a message from the message center (Column 7, Lines 40-45).

Regarding Claim 15, Ilcisin et al. disclose an audio apparatus in the form of a speaker (24) for playing the messages.

Regarding Claim 17, Ilcisin et al. disclose a digital camera message system comprising a message center including apparatus for collecting, preparing and sorting messages to be sent to a transceiver in an assembly including a digital camera (Column 2, Line 49 - Column 3, Line 33; Column 8, Lines 13-35) and a first communication apparatus responsive to reception of a message request signal conveying a camera identification for transmitting messages to the transceiver (See Column 2, Lines 49-56 and note that the calling device's camera identification is inherently provided in the initiation of a call from a particular apparatus with which it is associated); and an integrated assembly including a housing (12); a camera (22) built into the housing, the camera including an image capture apparatus; a transceiver apparatus not including the camera (See

Column 4, Lines 47-50 and Figure 1 of AT&T Technical Journal and note that the camera is a separate entity); code apparatus (See Column 8, Lines 3-7 and note that a code is present in the form of a phone number or TCP/IP address) and automatic signal transmission apparatus (See Column 2, Lines 49-56 and note that the camera's identification is inherently provided by its association with its transceiver). Also see Column 4, Lines 29-31 and note that the integrated assembly may be considered to be hand held as seen in Figure 1 of the AT&T Technical Journal describing the AT&T 2500.

Regarding Claim 18, Ilcisin et al. disclose that the message center includes a capability to send a selected message to a specific assembly based on the code (Column 2, Lines 49-52).

Regarding Claim 19, Ilcisin et al. disclose that the message center further includes a capability to send a message simultaneously to a plurality of assemblies by transmitting a corresponding particular code (Column 8, Lines 13-35).

Regarding Claim 20, Ilcisin et al. disclose that the message center further includes a capability to prioritize messages as part of a single packet of multiple messages (Column 8, Lines 13-35).

Regarding Claim 21, Ilcisin et al. disclose that the assembly further includes means for

disabling the automatic signal transmission apparatus (Column 1, Lines 60-61).

Regarding Claim 22, Ilcisin et al. disclose that the assembly further includes a message display apparatus (20).

Regarding Claim 23, it is inherent in Ilcisin et al. that the messages be stored prior to display since they must be stored in order to be continuously displayed (Column 2, Lines 59-61).

Regarding Claim 24, Ilcisin et al. disclose that the assembly further includes apparatus for selecting a particular one of the stored messages (See Column 2, Lines 59-62 and note that the first stored message is clearly selected to be displayed first).

Regarding Claim 25, Ilcisin et al. disclose that the apparatus for selecting further allows automatic display of a list of stored messages sequentially with each message displayed for a set amount of time (Column 2, Lines 59-62), the display being on the camera itself (See Figure 1 of AT&T Technical Journal).

Regarding Claim 26, Ilcisin et al. disclose that the apparatus for selecting includes apparatus for automatically displaying the messages in an order according to a priority assigned by the message center (Column 2, Lines 59-62; Column 8, Lines 13-35).

Regarding Claim 28, Ilcisin et al. disclose that the message display apparatus is viewed through a viewfinder of the camera (See Figure 1 of AT&T Technical Journal describing the AT&T 2500 referenced in Column 4, Lines 29-31).

Regarding Claim 30, Ilcisin et al. disclose an interactive message response apparatus for responding to a question received in a message from the message center (Column 7, Lines 40-45).

Regarding Claim 33, Ilcisin et al. disclose a method of communication comprising preparing a message at a message center for transmission to a transceiver included in a housing containing an independently functional camera (See Figure 1, Column 2, Line 49 - Column 3, Line 25 and Column 8, Lines 13-35 and note in Figure 1 that the camera 22 clearly functions independently of the transceiver since it is used for taking pictures, not for communicating with the message center); transmitting a message request to the message center by the transceiver, the message request containing identification of the camera and transmitting the messages from the message center to the transceiver (See Column 2, Lines 49-56 and note that the camera's identification is inherently provided since the transceiver with which it is associated is sent message information in response to the request); and displaying the message on a display apparatus (Column 8, Lines 17-19).

Regarding Claim 34, Ilcisin et al. disclose preparing multiple messages to be transmitted

and assigning priority values to the messages (Column 2, Line 59 - Column 3, Line 5; Column 8, Lines 13-35).

Regarding Claim 35, Ilcisin et al. disclose that the priority values include a length of time to display each message (Column 2, Lines 59 - Column 3, Line 7).

Regarding Claim 36, Ilcisin et al. disclose that the priority values include an order of display of the messages (Column 8, Lines 13-35).

Regarding Claim 37, Ilcisin et al. disclose disabling the transceiver to avoid transmitting the message request (Column 1, Lines 60-61).

Regarding Claim 38, Ilcisin et al. disclose that the display apparatus includes a dedicated banner region for display of the messages (Column 2, Line 51-53).

Regarding Claims 39-40, Ilcisin et al. disclose that the display apparatus includes a separate dedicated display apparatus (20) for display of the messages, the display being a viewfinder of the camera.

Regarding Claim 43, Ilcisin et al. disclose including in the message a request for a

response and responding to the request for a response by transmitting a response from the camera to the message center (See Column 3, Lines 7-9 where images from the camera are transmitted in response to the request for videophone communication).

Regarding Claim 46, Ilcisin et al. disclose a digital camera message system comprising a message center including apparatus for collecting, preparing and sorting messages to be sent to an integrated assembly containing a transceiver and an independently functional digital camera, the messages including a generic message for transmission to all of a plurality of the assemblies, and interest group based message for transmission to selected assemblies of a particular interest group, a personal message prepared for transmission to a selected one of the assemblies and apparatus for transmission of the messages to the assemblies including apparatus for repeatedly transmitting the messages and apparatus for including a code and each personal message to be received only by a corresponding selected assembly (See Column 3, Lines 2-25; Column 8, Lines 13-35 and note in Figure 1 that the camera 22 clearly functions independently of the transceiver since it is used for taking pictures, not for communicating with the message center).

Regarding Claim 47, Ilcisin et al. disclose apparatus for continuously sending the messages (Column 3, Lines 2-12).

Regarding Claim 48, Ilcisin et al. disclose apparatus for unselectively sending the messages

(Column 3, Lines 13-14; Column 8, Lines 20-35).

Regarding Claim 49, Ilcisin et al. disclose a means for sending the messages only when a request arrives from the transceiver (Column 1, Lines 60-61; Column 2, Lines 49-52).

Regarding Claim 50, Ilcisin et al. disclose an integrated assembly including an independently functional digital camera including an image capture apparatus (32), a transceiver (Column 4, Lines 47-50), code apparatus (See Column 8, Lines 3-7 and note that each transceiver has a code in the form of its phone number or TCP/IP address), and disabling apparatus (See Column 3, Lines 65-67 and note that longer-time-period messages may not be acceptable).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-8, 11, 12, 15 and 16 are rejected under 35 USC 103(a) as being unpatentable over Yuyama et al. (U.S. Patent No. 5,825,408) in view of Ilcisin et al..

Regarding Claim 1, Yuyama et al. disclose an integrated digital camera apparatus

comprising a housing (See Figure 1); a camera (Figure 10; Items 204 and 210) built into the housing, the camera for picture taking as with a separate hand held camera (Column 16, Line 14; "portable), the camera including image capture apparatus for converting a light image to digital image data (Figure 10; Items 204 and 210); a message apparatus built into the housing with message functioning independent of the camera, the message apparatus including a transceiver apparatus (208; Figure 9, Item 203) for sending and receiving digital data through a communication network, and a code apparatus for selectively receiving messages sent to the transceiver by a message center (Column 16, Lines 55-65).

Yuyama et al. do not disclose an automatic signal transmission apparatus for automatically causing the transceiver to transmit a message request signal to the message center conveying an identification of the camera when the transceiver is turned on. However it is well known in the art to operate a videophone system in such a manner, as disclosed in Ilcisin et al. in order to make sure that necessary messages are received by the person initiating the call (See Column 2, Line 49 - Column 3, Line 12 and note that a camera's identification is inherently conveyed in the initiation of a call from the particular apparatus with which the camera is associated). Such a provision for the Yuyama et al. device would clearly increase its utility by increasing the kinds of information available to the users of the videophone network. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide in the Yuyama et al. device an automatic signal transmission means for automatically causing the transceiver to transmit a message request signal to the message center conveying an identification of the camera

when the transceiver is turned on in order to increase the utility of the device by increasing the kinds of information made available to the user.

Regarding Claim 3, Yuyama et al. disclose transmitting a message request signal when transmission of a message is desired (Column 17, Lines 36-42) but do not disclose that the transceiver issues the request. However it is clear that either party in a message transmission system such as Yuyama et al. may initiate such a request. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to configure the Yuyama et al. and Ilcisin et al. arrangement so as to cause the transceiver to transmit the message request signal to the message center, such clearly being an obvious variation of Yuyama et al. In such an arrangement the camera's identification would clearly be conveyed in terms of its association with the transceiver making the request.

Regarding Claim 4, Yuyama et al. disclose all of the limitations except disabling the automatic signal transmission apparatus when a user does not want to receive messages. However it is well known in the art to operate a videophone system so as to send messages automatically, as disclosed in Ilcisin et al. in order to make sure that necessary messages are received by the person initiating the call (Column 2, Line 49 - Column 3, Lines 12). Such a provision for the Yuyama et al. device would clearly increase its utility by increasing the kinds of information made available to the users of the videophone network. Therefore, it would have been obvious to one of

ordinary skill in the art at the time of the invention to provide in the Yuyama et al. device an automatic signal transmission apparatus for automatically causing the transceiver to transmit a message request signal to the message center conveying an identification of the camera when the camera is turned on in order to increase the utility of the device by increasing the kinds of information made available to the user. In Ilcisin et al. this feature may be disabled when the user does not want to receive messages (See Column 3, Lines 65-67 and note that longer-time-period messages may not be acceptable).

Regarding Claim 5, Yuyama et al. are silent regarding a model number of the camera and therefore do not disclose that the code apparatus includes identification of a model number of the camera. However it is common practice in the art to form a videophone device using a camera that is separately manufactured, such as the AT&T 2500 disclosed in Ilcisin et al. (See Column 4, Lines 29-31 of Ilcisin et al. and page 25 of AT&T Technical Journal where the camera is said to be separately manufactured by Sony), the camera clearly having a model number given thereto by its manufacturer. In view of the teaching in Ilcisin et al. it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a separately manufactured camera for the Yuyama et al., device since it is well known in the art to so form videophone devices. In such an arrangement the code apparatus would clearly include identification of a model number of the camera since in order for there to be proper reception and display of pictures the model number of the camera used in the manufacture of the sending integrated digital camera apparatus

must be the same as that of the receiving integrated digital camera apparatus. The ability to receive, process and display meaningful pictures from a sending camera identifies it having the same model as that of the integrated digital camera apparatus for such a specific videophone network.

Regarding Claim 6, Yuyama et al. disclose a display apparatus for displaying the messages and an apparatus for displaying the image (205).

Regarding Claim 7, Yuyama et al. disclose that the display is a LCD display located on a back side of the camera apparatus (Column 17, Line 56; Figure 5).

Regarding Claim 8, Yuyama et al. disclose that the display apparatus includes a dedicated banner region for display of the messages (Column 17, Lines 56-57; the display region is interpreted to be a banner region specifically dedicated for the display of the received message).

Regarding Claim 11, Yuyama et al. disclose an interactive message response apparatus for responding to a question received in a message from the message center (inherent in the ability of the fax operation to respond to received information).

Regarding Claim 12, Yuyama et al. disclose that the interactive message response

apparatus enables a user to selectively store, delete and skip a message (Column 10, Lines 55-59).

Regarding Claim 15, Yuyama et al. disclose an audio apparatus in the form of a speaker (307) for playing the messages.

Regarding Claim 16, Yuyama et al. disclose that the messages can be interactively replayed, stored and skipped (Column 10, Lines 55-59).

5. Claims 9-10 are rejected under 35 USC 103(a) as being unpatentable over Yuyama et al. in view of Ilcisin et al. and further in view of Ishimaru et al. (U.S. Patent No. 5,003,399)

Regarding Claims 9 and 10, Yuyama et al. and Ilcisin et al. disclose all of the limitations except for a second display observable through a viewfinder. However it is very well known in the art to provide a camera apparatus with a viewfinder so as to assist the user in aiming of the camera and framing of the object of interest. Ishimaru et al. disclose such a provision (See Figure 1; Item 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a viewfinder in the Yuyama et al. and Ilcisin et al. device to assist the user in properly aiming the camera and framing the object of interest. Furthermore, messages can be displayed on the viewfinder in Ishimaru et al. (Column 11, Lines 7-9). Messages viewed through a viewfinder are clearly more easily seen than those displayed on an external display under high ambient light conditions since the user's eye is able to block ambient light while looking into the

viewfinder. Therefore it would have been obvious to enable the messages of Yuyama et al., Ilcisin et al. and Ishimaru et al. to be displayed in the viewfinder so that they would become more visible during high ambient light conditions.

6. Claims 13-14 are rejected under 35 USC 103(a) as being unpatentable over Yuyama et al. in view of Ilcisin et al. and further in view of Wilska et al. (GB 2,289,555).

Regarding Claims 13 and 14, Yuyama et al. and Ilcisin et al. do not disclose including a touch screen with the first display or buttons whereby the interactive response means is activated. However it is well known in the art to incorporate these features into a camera apparatus for the purpose of interactive message response as part of a personal communication operation, as disclosed in Wilska et al (Page 12, fourth paragraph). Inclusion of these features in Yuyama et al. and Ilcisin et al. would clearly increase the utility of the device by enabling a greater variety of information to be communicated thereby. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include in Yuyama et al. and Ilcisin et al. a touch screen with the first display or buttons whereby the interactive response means is activated in order to increase the variety of communication modes available with the device.

7. Claims 27 and 41 are rejected under 35 USC 103(a) as being unpatentable over Ilcisin et al.

Regarding Claims 27 and 41, Ilcisin et al. disclose the display as a LCD located on the

camera (See Column 4, Lines 29-31 and Figure 1 of AT&T Technical Journal). Although the side on which the display is formed is not specifically referred to as the back side it is clear that either side of the Ilcisin et al. device may be defined as the back side, and therefore the display may be considered to be located thereon.

8. Claims 29 and 42 are rejected under 35 USC 103(a) as being unpatentable over Ilcisin et al. in view of Yuyama et al.

Ilcisin et al. disclose that the message display means is generated through a speaker (Column 9, Lines 57-60), but do not disclose that the speaker is located on the camera. However, a speaker is so located in the Yuyama et al. device (Figure 16, Item 307), such an arrangement clearly being an obvious variation of Ilcisin et al for a hand-held device.

9. Claims 31-32 and 44-45 are rejected under 35 USC 103(a) as being unpatentable over Ilcisin et al. in view of Wilska et al.

Regarding Claims 31-32 and 44-45, Ilcisin et al. do not disclose including a touch screen with the first display or buttons whereby the interactive response means is activated. However it is well known in the art to incorporate these features into a camera device for the purpose of interactive message response as part of a personal communication operation, as disclosed in Wilska et al (Page 12, fourth paragraph). Inclusion of these features in Ilcisin et al. would clearly increase the utility of the device by enabling a greater variety of information to be communicated

thereby. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include in Ilcisin et al. a touch screen with the first display or buttons whereby the interactive response means is activated in order to increase the variety of communication modes available with the device.

10. Claims 51-52 are rejected under 35 USC 103(a) as being unpatentable over Ilcisin et al. in view of Davidsohn et al. (U.S. Patent No, 5,606,361).

Regarding Claim 51 and 52, Ilcisin et al. do not disclose that the personal messages are encrypted with the camera comprising apparatus for decrypting the messages. However it is well known in the art to encrypt a sent message, with the receiving unit having a decrypting means enabling the reading of the message, as disclosed in Davidsohn et al. (See Abstract and Figure 1), such a provision enabling the information in a message to be safeguarded when desired. Provision of this capability in Ilcisin et al. would clearly increase its utility by adding a security mode of communication well known in the art to be beneficial for the sending of certain personal messages that are desired to be private. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to encrypt the messages of Ilcisin et al. and provide the camera with an apparatus for decrypting the messages in order to enable certain of the messages to be privately communicated.

11. Applicants' amendment necessitated the new ground of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any response to this final action should be mailed to:

Box AF
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications; please mark "EXPEDITED PROCEDURE"; for informal or draft communications, please label "PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

13. Any inquiry regarding this communication or earlier communications from the examiner should be directed to Andy Christensen whose telephone number is (703) 308-9644.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

ac
June 27, 2001



ANDREW B. CHRISTENSEN
PRIMARY EXAMINER